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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HOANG, SON T	
			ART UNIT 2165	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/573,580

**Applicant(s)**

SAKOH ET AL.

**Examiner**

SON T. HOANG

**Art Unit**

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2009.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-25 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 24 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 23, 2009 has been entered.

### ***Response to Amendment***

2. **Claims 1, 10, and 15-18** are amended.

**Claims 20-25** are newly added.

**Claims 1-25** are pending.

### ***Response to Arguments***

3. Applicant's arguments towards **claims 1-19** have been fully considered and are moot in view of a new ground of rejections. Rejections for newly added **claims 20-25** are also presented hereon.

### ***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and M.P.E.P. § 608.01(o).

**Claims 17-18** each recites a "computer-readable medium". However, explicit definition(s) and/or explanation(s) for these claimed media cannot be found within the disclosure. Appropriate correction is required.

***Notes Regarding Statutory Subject Matters***

5. All the means in all claimed system/apparatus of **claims 15-16**, and **22-23** are either directed or connected to at least a hardware component ([0233]-[0245] of PG-Pub).

With respect to independent **claim 15** under 35 U.S.C. 101, the claim recites a contents acquisition apparatus with multiple components. At least one of the claimed components is a "*temporary storage section configured to temporarily store the acquisition/use file*" and this component is defined to include hardware component only (i.e. hard disk, memory) (see paragraph [0234] of PG-Pub). Therefore, **claim 15** is statutory under 35 U.S.C. 101.

Dependent **claim 22** is also statutory under 35 U.S.C. 101 for the same reasons above.

With respect to independent **claim 16** under 35 U.S.C. 101, the claim recites an attributes information providing apparatus with multiple components. At least one of the claimed components is an "*attributes information transmission section configured to eternally transmit...*" and this component is defined to include at least a control section (which is a CPU, see paragraph [0076] of PG-Pub), and/or any hardware circuit (see paragraph [0245] of PG-Pub).

Dependent **claim 23** is also statutory under 35 U.S.C. 101 for the same reasons above.

6. Each computer-readable medium claimed in **claims 18-19** is taken to compose of statutory subject matters only (e.g. physical storage devices as described in paragraphs [0212] and [0222] of PG-Pub).

Dependent **claim 25** is also statutory under 35 U.S.C. 101 for the same reasons above.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1, 10, 15-18, and 20-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (*Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama*) over Wolfe et al. (*Pub. No. US 2004/0163033, filed on July 24, 2003*), and further in view of Logan et al. (*Pub. No. US 2003/0093790, filed on June 8, 2002; hereinafter Logan*).

Regarding **claim 1**, Nakayama clearly shows and discloses a contents acquisition method (*Figures 9-10*) comprising:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from*

*information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]);*

*receiving the acquisition/use file corresponding to the file request information (The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]);*

*storing the acquisition/use file received (both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]);*

*determining if contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not (The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery*

*information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]);*

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in the database *(The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2);*

receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus *(In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]);*

storing the contents identification information as in-storage contents identification information when it is determined that the contents identification information is registered in the database or when the reception of the contents data is completed (*Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

receiving the contents-attributes information corresponding to the attributes request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099];*



storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information (*Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]; and*

registering the contents data and the contents attributes information in the database (*The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034].*

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database; and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses the steps of temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include*

*various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]) and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (confirmation that the preservation store 400 has successfully preserved the one or more preservation objects on the preservation media 600, the one or more preservation objects are deleted from a temporary storage, [0048]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored*

*segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer, [0007]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claim 10**, Nakayama clearly shows and discloses an attributes information providing method to be used in a situation where contents data are already registered in a database or the reception of the contents data corresponding to the contents providing address in the acquisition request file transmitted from an external apparatus is completed after externally storing an acquisition/use file containing a contents providing address corresponding to the acquisition request for contents data to an external apparatus and an attributes information providing address and before requesting the contents data corresponding to the contents providing address (*Figures 9-10*), the method comprising:

receiving attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage

contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]; and*

*externally transmitting the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received (After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]).*

Nakayama does not explicitly disclose the step of temporarily storing the received files/information, and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is*

*assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer, [0007]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claim 15**, Nakayama clearly shows and discloses a contents acquisition apparatus (*Figures 1-3*) comprising:

a file request information transmission section configured to transmit file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content*, [0035]. *Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c*, [0066]-[0067]);

a file reception section configured to receive the acquisition/use file corresponding to the file request information transmitted by the file request information transmission section (*The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b*, [0035]);

a storage section configured to store the acquisition/use file received by the file reception section (*both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer*, [0035]);

a determination section configured to determine if the contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb,* [0034]);

a contents request information transmission section configured to transmit contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined by the determination section that the contents identification information is not registered in the database (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-*

*side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2);*

*a data reception section configured to receive the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus by the contents request information transmission section (In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]);*

*a contents identification information storage section configured to store the contents identification information as in-storage contents identification information when it is determined by the determination section that the contents identification information is registered in the database or when the reception of the contents data is completed by the data reception section (Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*



a attributes request information transmission section configured to transmit attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information by the contents identification information storage section is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

a attributes information reception section configured to receive the contents attributes information corresponding to the attributes request information transmitted by the attributes request information transmission Section (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099];*

a contents attributes identification information storage section configured to store the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information by the attributes information reception section (*Figure 9 shows that in step S11, the server-*

*side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]); and*

*a registration section configured to register the contents data and the contents attributes information in the database (The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]).*

Nakayama does not explicitly disclose storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database; and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for*

*the content is assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]) and the contents attributes information in the database (confirmation that the preservation store 400 has successfully preserved the one or more preservation objects on the preservation media 600, the one or more preservation objects are deleted from a temporary storage, [0048]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer, [0007]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of

Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claim 16**, Nakayama clearly shows and discloses an attributes information providing apparatus to be used in a situation where contents data are already registered in a database or the reception of the contents data corresponding to the contents providing address in the acquisition request file transmitted from an external apparatus is completed after externally and storing an acquisition/use file containing the contents providing address corresponding to the acquisition request for contents data to an external apparatus and before requesting the contents data corresponding to the contents providing address (*Figures 1-3*), the apparatus comprising:

an attributes request information reception section configured to receive attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the*

*server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]);*

an attributes information transmission section configured to externally transmit the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received by the attributes request information reception means (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]).*

Nakayama does not explicitly disclose temporarily storing the received files/information; and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer*, [0007]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claim 17**, Nakayama clearly shows and discloses a contents acquisition program (*Figures 1-3*) for causing an information processing apparatus to execute:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

receiving the acquisition/use file corresponding to the file request information (*The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]*);

storing the acquisition/use file received in the file reception step (*both the server-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]*);

determining if the contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not

*(The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]);*

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in the database  
*(The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with*



*the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2);*

*receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus (In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]);*

*storing the contents identification information as in-storage contents identification information when it is that the contents identification information is registered in the database or when the reception of the contents data is completed (Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

*transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information is completed (Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file*

*detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

*receiving the contents attributes information corresponding to the attributes request information (After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]);*

*storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information (Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]); and*

*registering the contents data and the contents attributes information in the database (The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information*

*storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]).*

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database; and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses the steps of temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]) and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (confirmation that the preservation store 400 has successfully preserved the one or more preservation objects on the preservation media 600, the one or more preservation objects are deleted from a temporary storage, [0048]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of

Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer*, [0007]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claim 18**, Nakayama clearly shows and discloses a computer-readable medium encoded with an attributes information providing program to be executed by an information processing apparatus in a situation where contents data are already registered in a database or the reception of the contents data corresponding to

the contents providing address in the acquisition request file transmitted from an external apparatus is completed before externally and storing an acquisition/use file containing the contents providing address corresponding to the acquisition request for contents data to an external apparatus and after requesting the contents data corresponding to the contents providing address (*Figures 1-3*), the program comprising:

receiving attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]*); and

externally transmitting the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]*); and

controlling reproduction of the contents data based on the content attributes information (*Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0043]*).

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information; and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Wolfe discloses temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is assembled, the content is placed in temporary storage where the content and the associated metadata will be referred to as a preservation object, [0032]*); and controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*confirmation that the preservation store 400 has successfully preserved the one or more preservation objects on the preservation media 600, the one or more preservation objects are deleted from a temporary storage, [0048]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not explicitly teach controlling reproduction of the contents data based on reproduction criteria included in the content attributes information.

However, Logan teaches controlling reproduction of the contents data based on reproduction criteria included in the content attributes information (*selectively reproducing recorded video program segments retrieved from a mass storage device under the control of playlist metadata which identifies a selected set of the stored segments and the ordered sequence in which those segments are to be reproduced in the absence of an intervening control command from the viewer*, [0007]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Logan with the teachings of Nakayama, as modified by Wolfe, for the purpose of utilizing metadata created either at a central location for shared use by connected users, or at each individual user's location, to enhance user's enjoyment of available broadcast programming content ([Abstract] of Logan).

Regarding **claims 20-25**, Logan further discloses restricting the reproduction of the contents data to a number of times that a user is authorized to reproduce the

contents data (*Limit the "life" (duration) that a program may be previewed, or limit the number of times a program segment (e.g. audio song or music video) can be played before it must be purchased or paid for on a use basis, [0253]*).

9. **Claims 2-5, and 11-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (*Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama*) over Wolfe et al. (*Pub. No. US 2004/0163033, filed on July 24, 2003*), and further in view of Logan et al. (*Pub. No. US 2003/0093790, filed on June 8, 2002; hereinafter Logan*), and further in view of Ireton (*Pub. No. US 2002/0077984, published on June 20, 2002*).

Regarding **claims 2, and 11**, Nakayama, as modified by Wolfe and Logan, does not disclose the contents attributes information includes right of use information that makes the contents data usable.

However, Ireton discloses the contents attributes information includes right of use information that makes the contents data usable (*receiving 405 media content (e.g., music, art, books) and identifying 410 rights to use associated with the media content. The rights to use may be embedded in the media content or otherwise associated with the media content. Such rights to use can specify, for example, the number of copies that can be available for playback at any given time. In response to no rights to use being identified, the process may include assigning 415 default rights to use to the media content, [0066]*).



It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Ireton with the teachings of Nakayama, as modified by Wolfe and Logan, for the purpose of enabling protected media content to be shared between playback devices using the rights associated with the media contents ([Abstract] of Ireton).

Regarding **claims 3, and 12**, Ireton further discloses the contents attributes information includes right of use information that makes the contents data reproducible (*The process also includes explicitly or implicitly transferring 425 a number of the rights to use to desired locations. For example, one location (e.g., playback device) might receive a single right to use, while another playback location (e.g., digital media server) receives four rights to use. Note that a number of the rights to use may be provided to a secure storage device for future distribution purposes. Further note that the distribution of the actual media content can be separate from the distribution of rights to use that media content, [0067]*).

Regarding **claims 4, and 13**, Ireton further discloses the contents attributes information includes right of use information for increasing the number of times of copying the contents data stored in the storage medium to other storage mediums (*The process also includes explicitly or implicitly transferring 425 a number of the rights to use to desired locations. For example, one location (e.g., playback device) might receive a single right to use, while another playback location (e.g., digital media server) receives four rights to use. Note that a number of the rights to use may be provided to a secure storage device for future distribution purposes. Further note that the distribution*

*of the actual media content can be separate from the distribution of rights to use that media content, [0067]).*

Regarding **claim 5**, Nakayama further discloses temporarily storing acquisition start information for starting acquisition of the contents data before the transmitting file request information (*Figure 9 shows step S1 as initializing information retained during the previous process before a request is communicated, [0070]*).

10. **Claims 6-9**, and **14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama) over Wolfe et al. (Pub. No. US 2004/0163033, filed on July 24, 2003), and further in view of Logan et al. (Pub. No. US 2003/0093790, filed on June 8, 2002; hereinafter Logan), and further in view of Chun (Pub. No. US 2004/0054650, filed on June 20, 2003).

Regarding **claim 6**, Nakayama, as modified by Wolfe and Logan, does not disclose the limitations of this instant claim.

However, Chun discloses:

determining if the acquisition start information is temporarily stored or not when a communicable state is restored from a break of the communication connection with the external apparatus (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]*). When the file downloading apparatus 200 starts the user request download procedure, the CPU 230

*of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036]);*

*determining if the in-storage contents identification information is temporarily stored or not when it is determined that the acquisition start information is temporarily stored (The download status checker 250 may obtain the download status information from the memory 240 or from its own storage 250a. In this embodiment, the presence of the download status information of a file implies that the download of that file has not been completed. The absence of the download status information implies that the download of the file is completed, [0036]); and*

*transmitting the attribute request information reacquiring the contents attributes information for altering the attributes of the contents data that correspond to the in-storage contents identification information to the attributes information providing address when it is determined that the in-storage contents identification information is temporarily stored (If the download status information of the requested file exists indicating incomplete downloading, the CPU 230 transmits this download status information and a download request signal to the contents server 150 (e.g., via the Internet 140 or other network) at step S402 and resumes the downloading of the file from the point at which the download was stopped in the previous download session at step S403. The download status information identifies to the contents server 150 the point in the file from which the download should be resumed, [0036]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Chun with the teachings of Nakayama, as modified by Wolfe and Logan, for the purpose of resuming downloading of the file from the point at which the download was stopped in the previous data transfer session even though the data transfer link is broken during the downloading of the file due to unexpected network problems or other problems using the download status checker ([Abstract] of Chun).

Regarding **claim 7**, the combination of Nakayama, Wolfe, and Chun, further discloses:

deleting the acquisition/use file when the communicable state is restored from a break of the communication connection with the external apparatus (*The absence of the download status information implies that the download of the file is completed. It is well inherent that after the incomplete file has been completely downloaded, the temporarily stored status checker would be removed as well*, [0036] of Chun);

transmitting a file re-request information requesting the updated acquisition/use file (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22*, [0085] of Nakayama);

receiving the updated acquisition/use file corresponding to the file re-request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099] of Nakayama*);

storing the received updated acquisition/use file (*Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080] of Nakayama*); and

determining if the contents identification information corresponding to the contents providing address in the updated acquisition/use file is temporarily stored or not (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]). When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036] of Chun*),

wherein the transmitting contents request information is adapted to transmit the contents request information requesting the contents data corresponding to the contents

identification information to the external apparatus when it is determined that the contents identification information is not temporarily stored (*In the meantime, when the download status information about the requested file does not exist in the download status checker 250, the CPU 230 transmits the download request signal to the contents server 150 without the download status information as shown at step S404 so as to download the file from the start of the file, e.g., the byte offset 0, at step S405, [0036] of Chun*).

Regarding **claim 8**, Chun further discloses:

determining if the contents attributes identification information corresponding to the contents identification information is temporarily stored or not when it is determined that the contents identification information is temporarily stored (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]*). *When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036]*).

wherein the transmitting attributes request information is adapted to transmit the attributes request information requesting the contents attributes information corresponding to the contents attributes identification information to the attributes information providing address contained in the updated acquisition/use file when it is

determined that the contents attributes identification information is not temporarily stored (*In the meantime, when the download status information about the requested file does not exist in the download status checker 250, the CPU 230 transmits the download request signal to the contents server 150 without the download status information as shown at step S404 so as to download the file from the start of the file, e.g., the byte offset 0, at step S405, [0036]*).

Regarding **claim 9**, Nakayama further discloses:

determining if the contents attributes information corresponding to the contents attribute identification information and the contents data corresponding to the contents attributes information are registered in the database or not when it is determined that the contents attributes identification information is temporarily stored (*The version number of the file detected in Step S10 is compared with that of the file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, i.e. the later version has not been registered in the local system, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]*),

wherein the registering is adapted to register the contents data and the contents attributes information when it is determined that the contents data and the contents attributes information are not registered in the database (*after the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be*

*of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]).*

Regarding **claim 14**, Nakayama further discloses receiving the attributes request information transmitted when the acquisition start information is temporarily stored and the in-storage contents identification information of the contents data is temporarily stored at the time when the communicable state is restored from a break of the communication connection (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]).* When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401. If the download status information of the requested file exists indicating incomplete downloading, the CPU 230 transmits this download status information and a download request signal to the contents server 150 (e.g., via the Internet 140 or other network) at step S402 and resumes the downloading of the file from the point at which the download was stopped in the previous download session at step S403. The download status information identifies to the contents server 150 the point in the file from which the download should be resumed, [0036]) although the acquisition start information indicating the start of acquisition of the contents data to the external apparatus is temporarily stored and the contents data and the contents attributes information corresponding to the contents data



are registered in the database before temporarily storing the acquisition/use file but subsequently the acquisition start information and the in-storage contents identification information that are temporarily stored are erased (*The absence of the download status information implies that the download of the file is completed. It is well inherent that after the incomplete file has been completely downloaded, the temporarily stored status checker would be removed as well, [0036]*).

11. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama) over Wolfe et al. (Pub. No. US 2004/0163033, filed on July 24, 2003), and further in view of Sull et al. (Pub. No. US 2002/0069218, published on June 6, 2002; hereinafter Sull).

Regarding **claim 19**, Nakayama clearly shows and discloses a contents acquisition method (Figures 9-10) comprising:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

receiving the acquisition/use file corresponding to the file request information  
*(The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]);*

storing the acquisition/use file received *(both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]);*

determining if contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not *(The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]);*

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in the database (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2*);

receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus (*In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]*);

storing the contents identification information as in-storage contents identification information when it is determined that the contents identification information is registered in the database (*Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in*

*Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the temporarily storing of the in-storage contents identification information is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

receiving the contents attributes information corresponding to the attributes request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099];*

storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information in the receiving the contents attributes information (*Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the*

*hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

registering the contents data and the contents attributes information in the database (*The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034];* and

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database, and storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed.

However, Wolfe discloses the steps of temporarily storing the received files/information (*The content may also be rendered and simulated for the preservation media's capabilities and format. As discussed hereinafter, the metadata can include various types of information including creation information, origination information, content information, subject information, format information, or the like. Once the metadata for the content is assembled, the content is placed in temporary storage*

*where the content and the associated metadata will be referred to as a preservation object, [0032]) and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (confirmation that the preservation store 400 has successfully preserved the one or more preservation objects on the preservation media 600, the one or more preservation objects are deleted from a temporary storage, [0048]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wolfe with the teachings of Nakayama for the purpose of receiving content and preserving that content for an indefinite or predetermined amount of time ([Abstract] of Wolfe).

Nakayama, as modified by Wolfe, does not disclose storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed.

However, Sull discloses storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed (*after the video and metafile are transferred from the network controller 4220 to user, the file controller 4222 reads the video file as well as the metafile in the local computer, or the video file and the metafile transferred by the network. The metafile read from the file controller is transferred to the XML parser 4224. After the XML parser validates whether the transferred metadata are well-formed according to XML syntax, the metadata is stored to input buffer 4226, [0478]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Sull with the teachings of Nakayama, as modified by Wolfe, for the purpose of interrogating images that contain textual information (in graphical form) so that the text may be copied to a tag or bookmark that can itself be indexed and searched to facilitate later retrieval via a search engine ([Abstract] of Sull).

### ***Conclusion***

12. These following prior arts made of record and not relied upon are considered pertinent to Applicant's disclosure:

Horn (*Pat. No. US 7,275,063*) teaches computer system for automatic organization, indexing and viewing of information from multiple sources.

Patel et al. (*Pat. No. US 7,162,486*) teaches system and method for representing named data streams within an on-disk structure of a file system.

The Examiner requests, in response to this Office action, support(s) must be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the Examiner in prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

***Contact Information***

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Neveen Abel-Jalil can be reached on (571) 272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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